

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Neil P. DESAI et al.

Application No.: 09/847,945

Confirmation No.: 6174

Filed: May 2, 2001

Art Unit: 1616

For: COMPOSITIONS AND METHODS FOR
TREATMENT OF HYPERPLASIA

Examiner: S. Landau

STATEMENT OF SUBSTANCE OF INTERVIEW

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

This communication is in response to an Interview Summary mailed October 25, 2007. The Interview Summary states that a statement of the substance of the interview is due one month or thirty days from the Interview date of October 16, 2007 or the mailing date of the Interview Summary, October 25, 2007, whichever is later. Accordingly, this statement is due November 25, 2007 and is timely filed.

REMARKS

The Applicants express their gratitude for the telephone interview between Examiner Gollamudi Landau and Applicants' representatives Stephanie Yonker and Catherine Polizzi, on October 16, 2007. The time and consideration of the Examiner is greatly appreciated.

During the telephone interview, rejections under § 103(a) and references cited by the Examiner were discussed as set forth in the Interview Summary. All claims were discussed, with focus on independent claims, particularly the newly submitted recitation regarding delivery time in less than about 30 minutes. Applicants discussed points presented in the response mailed September 7, 2007, namely that Kinsella does not teach delivery of an effective amount of a drug composition in less than about 30 minutes for treating atherosclerosis or restenosis. Instead, Kinsella teaches continuous IV infusion of taxol over a 24 hour period, or even over 5-7 days. Applicants further respectfully submitted that Hunter does not teach a method "wherein the effective amount of the composition is delivered in less than about 30 minutes" as recited in the claims. In support of the amendments of 09/07/07, Applicants referred to page 7, lines 25-26 as well as Examples 22, 23, and 24.

CONCLUSION

If it is determined that a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 420052000127. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 21, 2007

Respectfully submitted,

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